

ORDINANCE COMMITTEE MEETING
JUNE 10, 2008

ITEM #1

ORDERED THAT the Ordinance Committee create a new or add to an existing ordinance which would require existing and future auto detailing operations to be licensed in the City of Chicopee.

ITEM #2

ORDERED THAT Article XI, Building Commissions, be reviewed to determine if it meets the requirements of the new Massachusetts School Building Authority (MSBA) Grant Regulations.

ITEM #3

BE IT ORDAINED by the Board of Aldermen that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

By deleting from Chapter 275-66 A the following:

April 6, 2007, April 6, 2008

And insert in place thereof

April 6, 2008, April 6, 2009

ITEM #4

BE IT ORDAINED by the Board of Aldermen that the Code of the City of Chicopee for the year 1991, as amended, be and hereby is further amended as follows:

Chapter 275-41 A (1) the Board of Aldermen shall review and set new filing fees for Home Occupation Licenses.

Strike Out		Insert in Place Thereof	
Home Occupation	\$75.00	Home Occupation	\$100.00

Chapter 275-20 the Board of Aldermen shall review and set new filing fees for Special Permits and Zone Changes.

Strike Out		Insert in Place Thereof	
Special Permit	\$75.00	Special Permit	\$125.00
Zone Change	\$150.00	Zone Change	\$200.00

ITEM #5

MISCELLANEOUS TRAFFIC ORDINANCES



CHICOPEE BOARD OF ALDERMEN
ORDINANCE COMMITTEE

ACCEPTED

MEMBERS

James K. Tillotson, Chairman
George Moreau, Vice-Chairman
Donald Demers
John Vieau
Robert J. Zygarowski

MINUTES
June 10, 2008

The following are the minutes of a public hearing held Tuesday, June 10, 2008 at 6:30 PM in the Aldermanic Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

Members Present

Tillotson, Moreau, Demers, Vieau, Zygarowski (arrived 6:33)

Also Present

Dan Garvey (Associate City Solicitor)

The meeting was called to order at 6:30 PM

ITEM #1

ORDERED THAT the Ordinance Committee create a new or add to an existing ordinance which would require existing and future auto detailing operations to be licensed in the City of Chicopee.

This is the proposed ordinance:

BE IT ORDAINED by the Board of Aldermen that the Code of the City of Chicopee for the Year 1991, as amended, be and hereby is further amended as follows:

Chapter 188

Add 188-16.1 Vehicle Detailing License

- A. Definition
Vehicle detailing is the washing, cleaning, polishing and/or buffing of motorized vehicles as a primary business.
- B. Any person, partnership, corporation or other entity engaged in the business of vehicle detailing shall possess a license issued by the Board of Aldermen.
- C. Vehicle detailing licenses shall be subject to all of the provisions of Section 188.6.
- D. Any person, partnership, corporation or entity who possesses a Class I, II, III, **or Auto Body** license issued by the Board of Aldermen shall be exempt from this Section with respect to those vehicles which they have repaired or are for sale.
- E. This section shall take effect on January 2, 2009.

This proposed ordinance needs to go before the full board for a first reading and the ordinance committee will have another opportunity to review it and make changes if necessary. The words "or Auto Body" have been added to part D of the proposed ordinance to exclude persons possessing an Auto Body License.

First Reading to the full board.

Committee vote 5 – 0 favorable.

Motion made by Alderman Demers to take #4 out of order. Motion passed.

ITEM #2

ORDERED THAT Article XI, Building Commissions, be reviewed to determine if it meets the requirements of the new Massachusetts School Building Authority (MSBA) Grant Regulations.

Stephen Nembirkow, School Business Manager was present for this portion of the meeting.

The proposed ordinance is as follows:

BE IT ORDAINED by the Board of Alderman that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Delete 16-42

Add in its Place 16-42

There is hereby established authorization to appoint Building Commissions, whose duties will be to oversee the construction of all buildings erected under contract by the City of Chicopee and all construction projects designated hereafter with the exception of school building construction and/or school renovation projects. School building construction and/or school renovation projects shall be governed by ARTICLE XXV, Section 16-22 to Section 16-118 inclusive.

BE IT ORDAINED by the Board of Alderman that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

ADD: ARTICLE XXVI BUILDING COMMISSIONS – SCHOOL PROJECTS

§ 16-112 Authority to Appoint; Purpose

There is hereby established authorization to appoint a School Building Commission, whose duties will be to oversee the construction and/or renovations of all school buildings erected under contract by the City of Chicopee. The purpose of the School Building Commission shall be to both monitor and assist in the application for funds and advise and assist in the construction of a school building and/or renovation project.

§ 16-113 Projects requiring Commissions.

All buildings constructed for use by the City of Chicopee School Department or any of its departments and any renovations to existing school buildings where the total contract price totals \$250,000.00 or more Each such school project shall have a separate Building Commission.

§ 16-114. Composition.

Upon the solicitation of request for proposal in connection with a bid for construction of any project requiring a Commission in accordance with § 16-113, the Mayor shall become the chairman of the committee and appoint a total of twenty-four members, as follows:

- (1) A member of the Chicopee School Committee
- (2) The Chicopee Superintendent of Schools
- (3) The Chicopee Building Commissioner
- (4) City official/employee responsible for the maintenance of buildings
- (5) School principal of the subject school.
- (6) A member who has knowledge of the educational mission and function of the facility to be built or renovated.
- (7) A member of the City of Chicopee Finance Committee.
- (8) Nine members shall be selected on the basis of one resident from each ward by Ward Aldermen, four members shall be selected by Aldermen at Large and four by the Mayor from any part of the City, all of whom shall be subject to confirmation upon the affirmative vote of nine Aldermen.

§ 16-115. Powers and duties.

- (a) As soon as practical after their appointment, members of the School Building Commission shall hold an organizational meeting and elect a Vice Chairman and Secretary, who shall be chosen by a majority vote of the members present and voting.
- (b) The Chairman or Vice Chairman shall have the duty of calling all regular meetings of the Commission upon 48 hours' notice posted according to law. His duties shall include presiding over meetings of the Commission and all functions traditionally given to a Chairman. In the absence of the Chairman, the Vice Chairman shall serve in that capacity. The Secretary shall record the minutes of each meeting and shall be responsible for transmitting all minutes and documents received by the Commission to the City Clerk upon the dissolution of the Commission. A special meeting of the Commission shall be called upon written request of nine members.
- (c) The Commission shall have the duty to oversee the school construction project and shall elect a Bills Committee, whose members shall review all incoming bills and vouchers and recommend approval for payment to the full Commission. An affirmative vote of nine members of the Commission shall be required for approval of the bills, and at least four members must sign the bills, which will then be presented to the City Auditor.

§ 16-116. Duration.

The Commission shall have the power to act from the time of its appointment and shall cease to exist, or any member shall be removed, upon one of the following conditions:

- (a) When the building or project is finally accepted by the City; or
- (b) Upon a direction or order of the Mayor, who shall then transmit the termination notice to the Board of Aldermen. The procedure for termination under this section shall be held in accordance with § 16-117 of this article.

§ 16-117. Removal of members.

A person shall cease to be a member of the Building Commission upon removing his or her residence from the City of Chicopee or for any of the reasons specified in § 16-116. In the event that a person is to be removed, he or she shall be notified in writing by the Mayor and given the reasons for such removal. The person will, upon a request in writing, not later than seven days after receipt of such notice of removal, be given a hearing upon such reasons for removal, said hearing to be held by the Board of Aldermen within 15 days from the request for said hearing. An affirmative vote of nine shall be required before the removal becomes final.

§ 16-118. Regulations to be distributed.

Each member of the School Building Commission shall, upon appointment, be given a copy of this article and also a copy of MGL c. 30A, §§ 11A and 11A 1/2, and MGL c. 39, §§ 23A and 23B (Open Meetings Law).

This proposed ordinance change is required because of the changes made by the state when applying for state building grants for schools.

Mr. Nembirkow will present this proposed ordinance to the school committee. Alderman Tillotson requested that the school committee review it and forward their vote and recommendations before the Board of Aldermen take a final vote.

The committee voted 5 – 0 to move forward to the Board for a first reading.

ITEM #3

BE IT ORDAINED by the Board of Aldermen that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

By deleting from Chapter 275-66 A the following:

April 6, 2007, April 6, 2008

And insert in place thereof

April 6, 2008, April 6, 2009

Motion made by Alderman Moreau to approve.

Committee vote: 5 – 0 favorable.

ITEM #4

BE IT ORDAINED by the Board of Aldermen that the Code of the City of Chicopee for the year 1991, as amended, be and hereby is further amended as follows:

Chapter 275-41 A (1) the Board of Aldermen shall review and set new filing fees for Home Occupation Licenses.

Strike Out

Home Occupation \$75.00

Insert in Place Thereof

Home Occupation \$100.00

Chapter 275-20 the Board of Aldermen shall review and set new filing fees for Special Permits and Zone Changes.

Strike Out

Special Permit \$75.00
 Zone Change \$150.00

Insert in Place Thereof

Special Permit \$125.00
 Zone Change \$200.00

ITEM #5

BE IT ORDAINED by the Board of Alderman of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to/~~striking from~~ the following in schedule:

(Check Applicable)

- ☐ I Parking Regulations
- ☐ X Winter Parking Regulations
- ☐ XI One-Way Streets
- ☒ XIV Isolated Stop Signs and Signal Lights
- ☐ XIII Right Turn on Red
- ☐ II Bus Stops
- ☐ Other

AS FOLLOWS: **HAMEL STREET**

Southeast corner. At the intersection of Hamel Street and Dale Street

ISOLATED STOP SIGN

Committee vote: 5 -0 favorable.

ITEM #6

BE IT ORDAINED by the Board of Alderman of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to/~~striking from~~ the following in schedule:

(Check Applicable)

- ☐ I Parking Regulations
- ☐ X Winter Parking Regulations
- ☐ XI One-Way Streets
- ☐ XIV Isolated Stop Signs and Signal Lights
- ☐ XIII Right Turn on Red
- ☐ II Bus Stops
- ☒ Other **HANDICAP PARKING**

AS FOLLOWS: **47 Arlington Street**

Handicap Parking

No report received from Engineering or Commission for the Disabled.

Motion made to table. Motion passed.

ITEM #7

BE IT ORDAINED by the Board of Alderman of the City of Chicopee as follows: that CHAPTER 260, as amended on February 21, 1995, be further amended by adding to/~~striking from~~ the following in schedule:

(Check Applicable)

- ☐ I Parking Regulations
- ☒ X Winter Parking Regulations
- ☐ XI One-Way Streets
- ☐ XIV Isolated Stop Signs and Signal Lights
- ☐ XIII Right Turn on Red
- ☐ II Bus Stops
- ☒ Other HANDICAP PARKING

AS FOLLOWS

38 STONINA DRIVE

HANDICAP PARKING

Report received from Steve Frederick, City Engineer, stating "I have reviewed the request for a public handicap on-street stall in the vicinity of 38 Stonina Drive. The Engineering Department does not recommend this request based on the following.

There is no accessible aisle or ramp in the immediate area.

I will correspond with the Housing Authority as they may want to consider a handicap parking plan. In this case some spaces may be appropriate as they have ramps at the street corners and off-street parking."

The following report was received from the Commission for Disabled "Please be advised that the parking ordinance for both 38 Stonina and 28 Ludger Avenue have met with full approval of the commission for the disabled."

The committee would like a communication sent to the new Chicopee Housing Authority Director requesting her input on a handicap parking plan.

Motion made to table. Motion passed.

Meeting adjourned at 7:00 PM.

